

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TANISIA N. BAKER,

Plaintiff,

-v-

CARL WEBER *et al.*,

Defendants.
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19 Civ. 1093 (JPC)


ORDER

JOHN P. CRONAN, United States District Judge:

Under Federal Rule of Civil Procedure 55(b), “[a] default judgment may be entered against a minor or incompetent person only if represented by a general guardian, conservator, or other like fiduciary who has appeared.” Fed. R. Civ. P. 55(b). S.D.N.Y. Local Rule 55.1 similarly requires a party seeking default judgment to file an affidavit showing “that the party against whom a notation of default is sought is not an infant, in the military, or an incompetent person.” S.D.N.Y. & E.D.N.Y. L. R. Civ. P. 55.1. In reviewing Plaintiff’s filings for her motion for default judgment, it does not appear that Plaintiff ever filed an affidavit showing that all of the Defendants against whom a default is sought are not infants, in the military, or incompetent persons. No later than January 10, 2022, at 9:00 a.m., Plaintiff shall file an affidavit meeting this requirement or request an adjournment of the default judgment hearing scheduled for January 10, 2022, at 10:30 a.m.

SO ORDERED.

Dated: January 7, 2022
New York, New York



JOHN P. CRONAN
United States District Judge